

EXHIBIT 3

Valerie Newman
10/11/2021

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1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF MICHIGAN
3 SOUTHERN DIVISION
4

5 ALEXANDRE ANSARI,

6 Plaintiff,

7 vs.

Civil Action

8 No. 2:20-cv-10719-SJM-DRJ

9 HON. STEPHEN J. MURPHY, III

10 MOISES JIMENEZ, in his
11 individual capacity, and the
12 CITY OF DETROIT, a municipal
13 corporation, Jointly and Severally,
14 Defendants,

15 _____/

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18 The Deposition of VALERIE R. NEWMAN,
19 Taken at 2 Woodward Avenue, 5th Floor,
20 Detroit, Michigan,
21 Commencing at 10:11 a.m.,
22 Monday, October 11, 2021,
23 Before Dale E. Rose, CSR-0087.

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report that identifies Officer Algarrafi as an officer investigating this file and this is the only report that also identifies Lindsey as a witness isn't it logical to assume that anybody who has identified Mr. Algarrafi as a witness also was aware of this report?

MR. MUELLER: Objection, foundation.

MR. O'NEILL: Objection, join in and add that the witness is not here to make assumptions, but you can answer if you can.

A. I don't know.

BY MS. BRUENING:

Q. Let me be more direct. You said that you spoke to defense counsel who represented Ansari in the underlying criminal file, right?

A. Yes.

Q. And he tried to tell you that he didn't know about this witness Shawn Lindsey, is that correct?

A. Yes.

Q. Were you aware that he called Officer Algarrafi as a witness at Mr. Ansari's trial?

A. I don't recall.

Q. Did you ever review any of the trial transcripts in the underlying matter?

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specific documents that you know of that

Mr. Karafa did not receive?

A. Definitely, no.

Q. Did you document any interviews that you had with Mr. Karafa?

A. We talked to him. I don't know that we would call it an interview. I don't know if it was documented. If it was documented it would be in the file.

Q. I apologize, I've got to jump all around because Ms. Crittendon was extremely thorough. So you said earlier that the CIU, one of its guiding principles is that you need to have some evidence of -- some new evidence, right, to establish innocence, correct?

A. Correct.

Q. In this case what new evidence did you find that led to the conclusion that Ansari was innocent?

A. Well, like in most cases it's a combination of what existed originally and then what the new evidence is.

So we started from the position in reading the reports where pretty much everyone described the guy as a big guy, maybe 300 pounds, and that's definitely not Ansari. And then we

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A. A long time ago.

Q. Did you ever review any of the motion hearings or the motions or anything like that, any of the pleadings leading up to the trial?

A. Probably not much.

Q. Did you ever obtain a copy of the file that the defense attorney kept?

A. I'm trying to think, I remember talking with Mr. Karafa. I don't remember. I know we talked to him, I'm sure we asked for the file, but I don't recall.

Q. If you had obtained a copy of that file would that have been digitized and saved as part of the CIU investigative materials?

A. Not necessarily. Often times we will look through a file and only digitize what we think is relevant and then give it back.

Q. And that's based on your subjective opinions of what's relevant, correct?

A. Correct.

Q. And you don't know in this case if you guys -- and by that I mean CIU -- obtained a copy of Mr. Karafa's file?

A. I don't want to say, I don't recall.

Q. Are you able to identify as we sit here today any

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kind of worked backwards to try and figure out what was going on.

And so I would say the new -- I mean the new evidence in this case is primarily what it appears that officer Jimenez was not forthright about and motivations to pin it on somebody else whose was kind of disposable rather than trying to track down -- there was a lot of information here that points to something going on in terms of Rosalind Barley and her family members being targeted and her relationship with Sandoval.

Q. Have you read the witness statements that were created in the underlying criminal investigation?

A. Not all of them, but yes, I read them.

Q. Were you aware that Barley disclosed her relationship with Sandoval and the prior assaults and threats on her life?

A. Yes.

Q. And those were in the possession of the prosecutor, were they not?

A. They were.

Q. So on what basis are you saying that Jimenez withheld this information when it was right there in black and white on the witness statement?